

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

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<b>AMERICAN INSURANCE COMPANY</b>	:	
<b>Plaintiff</b>		:
<b>v.</b>		:
<b>CORN ASSOCIATES LLC</b>	:	
<b>and</b>		:
<b>THE FRANKLIN TOWER CONDOMINIUM</b>	:	
<b>and</b>		:
<b>KATZ METAL FABRICATORS INC.</b>	:	
<b>and</b>		:
<b>OLYMPIC PLUMBING AND HEATING</b>	:	
<b>III CORP.</b>		:
<b>and</b>		:
<b>SAMCO PLUMBING, INC.</b>	:	
<b>Defendants.</b>		:

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**CASE NUMBER: 1:07-cv-8604**

**NOTICE OF MOTION FOR  
ADMISSION OF COUNSEL  
PRO HAC VICE**

*# 25-12-18-C*  
11/18/2007  
S.D. OF NY  
FILED - 12/18/2007

**PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts**

for the Southern and Eastern Districts of New York, I, Robert W. Phelan, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice

of: Kathleen P. Loughhead, Cozen O'Connor  
1900 Market Street  
Philadelphia, Pennsylvania 19103  
(215) 665-2000 (phone)  
(215) 665-2013 (fax)

Kathleen P. Loughhead, is a member in good standing of the Bar of the Commonwealth of Pennsylvania and the State of New York. There is no pending disciplinary proceeding against Kathleen P. Loughhead in any State or Federal court.

Dated: New York, New York  
December 14, 2007

COZEN O'CONNOR  
BY: *[Signature]*  
Robert W. Phelan (RP-3825)  
Attorney for Plaintiffs  
45 Broadway Atrium, 16<sup>th</sup> Floor  
New York, New York 10000  
(212) 509-9400

**IN THE UNITED STATES DISTRICT COURT FOR THE  
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<p><b>AMERICAN INSURANCE COMPANY</b> :  <b>CORN ASSOCIATES LLC</b> :  <b>THE FRANKLIN TOWER CONDOMINIUM</b> :  <b>KATZ METAL FABRICATORS INC.</b> :  <b>OLYMPIC PLUMBING AND HEATING</b> :  <b>III CORP.</b> :  <b>SAMCO PLUMBING, INC.</b> :</p>	<p><b>v.</b> :  <b>and</b> :  <b>and</b> :  <b>and</b> :  <b>and</b> :  <b>and</b> :  <b>Defendants.</b> :</p>
<hr style="border-top: 1px dashed black;"/> <span style="font-size: small;">X</span>	
<span style="font-size: small;">CASE NUMBER: 1:07-cv-8604</span>	
<span style="font-size: small;"><b>AFFIDAVIT OF KATHLEEN P. LOUGHHEAD</b></span>	

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<p><b>COMMONWEALTH OF PA</b> :  <b>PHILADELPHIA COUNTY</b> :</p>	<p>: SS</p>
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I, Kathleen P. Loughhead, Esquire, being duly sworn, depose and say:

1. I am a member of the law firm of Cozen O'Connor.
2. I submit this affidavit in support of my motion for admission to practice pro hac vice in the above-captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto I am a member in good standing of the Commonwealth of Pennsylvania.
4. There are no pending disciplinary proceedings against me in any State or Federal court.
5. If the Court shall allow my Motion to Appear *pro hac vice* in the above-captioned matter, with reference to all matters, incidents or proceedings, I agree that I shall be

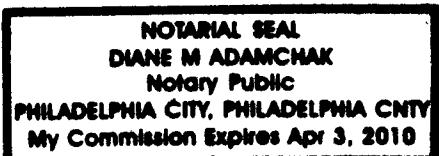
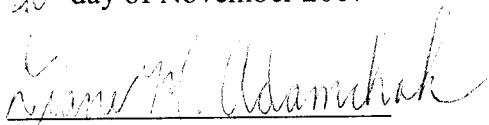
subject to the orders and rules of the United States District Court for the Southern District of New York in all respects as if I were regularly admitted and a licensed member of the United States District Court for the Southern District of New York in good standing.

6. Wherefore, your affiant respectfully submits that she be permitted to appear as counsel and advocate pro hac vice in this one case.



Kathleen P. Loughhead  
COZEN O'CONNOR  
1900 Market Street  
Philadelphia, PA 19103  
kloughhead@cozen.com  
215-665-2144

Sworn to before me on this  
20<sup>th</sup> day of November 2007





Supreme Court of Pennsylvania

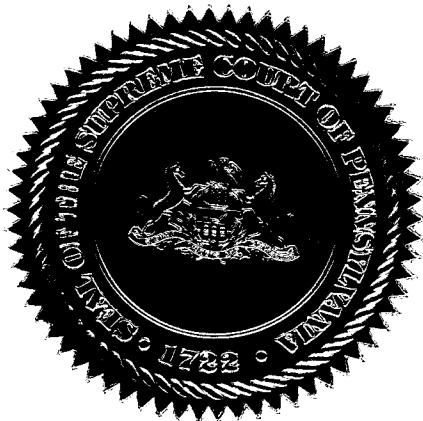
**CERTIFICATE OF GOOD STANDING**

***Kathleen P. Loughhead, Esq.***

**DATE OF ADMISSION**

***November 30, 1988***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal  
Dated: December 3, 2007**

A handwritten signature in black ink, appearing to read "Patricia A. Johnson".

Patricia A. Johnson  
Chief Clerk

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

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<b>AMERICAN INSURANCE COMPANY</b>	:	x
<b>Plaintiff</b>	:	
v.	:	
<b>CORN ASSOCIATES LLC</b>	:	
and	:	<b>CASE NUMBER: 1:07-cv-8604</b>
<b>THE FRANKLIN TOWER CONDOMINIUM</b>	:	
and	:	
<b>KATZ METAL FABRICATORS INC.</b>	:	
and	:	
<b>OLYMPIC PLUMBING AND HEATING</b>	:	<b>AFFIDAVIT OF</b>
<b>III CORP.</b>	:	<b>ROBERT W. PHELAN</b>
and	:	
<b>SAMCO PLUMBING, INC.</b>	:	
<b>Defendants.</b>	:	

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Robert W. Phelan, Esquire, being duly sworn, deposes and says as follows:

1. I am an attorney duly licensed to practice law in the State of New York, and an attorney with the law firm of Cozen O'Connor, attorneys for the Plaintiff in the above-entitled action.

2. I am fully familiar with the facts and circumstances as hereinafter set forth, and make this Affidavit in support of the Plaintiff's motion to have Kathleen P. Loughhead, Esquire, admitted of counsel, *Pro Hac Vice*, with respect to the above-entitled action.

3. The affiant has been acting as local counsel with respect to this matter, and respectfully requests that the Court allow Kathleen P. Loughhead, Esquire to be admitted *Pro Hac Vice* for purposes of serving as counsel for Plaintiff, American Insurance Company.

4. The affiant has known Ms. Loughhead to be an excellent attorney who has a great deal of experience with respect to the issues being presented in the present lawsuit and is a member in good standing of the Bar of the Commonwealth of Pennsylvania.

5. The affiant respectfully submits to the Court that Ms. Loughhead is not only an excellent attorney, but is a person of unimpeachable character who would do justice to both their client and the Bar.

6. The affiant respectfully requests that Kathleen P. Loughhead, Esquire be admitted *Pro Hac Vice* in the above-entitled action to serve as counsel in this matter.

WHEREFORE, Robert W. Phelan, Esquire respectfully requests that the Court grant an Order allowing the admission, *Pro Hac Vice*, of Kathleen P. Loughhead, Esquire to the United States District Court for the Southern District of New York to practice with respect to the above-captioned action, together with such other and further relief as the Court may deem just and proper.

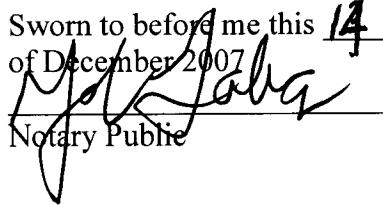
Dated: New York, New York  
December 14, 2007



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Robert W. Phelan (RP-3825))

Sworn to before me this 14 day  
of December 2007

  
Notary Public

JOHN B. GALLIGAN  
Notary Public, State of New York  
No. 02GA6159400  
Qualified in New York County  
Commission Expires January 16, 2011

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<b>AMERICAN INSURANCE COMPANY</b>	:	
Plaintiff	:	
v.		:
<b>CORN ASSOCIATES LLC</b>	:	
and	:	CASE NUMBER: 1:07-cv-8604
<b>THE FRANKLIN TOWER CONDOMINIUM</b>	:	
and	:	
<b>KATZ METAL FABRICATORS INC.</b>	:	
and	:	
<b>OLYMPIC PLUMBING AND HEATING</b>	:	
III CORP.	:	ORDER FOR ADMISSION PRO HAC VICE
and		:
<b>SAMCO PLUMBING, INC.</b>	:	
Defendants.	:	

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**THIS MATTER** comes before me upon motion of the Plaintiff, American Insurance Company, to permit Kathleen P. Loughhead, Esquire, a member in good standing of the Bar of the Commonwealth of Pennsylvania, to appear and conduct proceedings in the above-entitled case *Pro Hac Vice*. It appearing from the affidavits submitted in support of this motion that there is good cause for the relief sought, and further that the movant has certified that Kathleen P. Loughhead, Esquire is ready to proceed and that, therefore, the granting of this motion will not delay this action;

**IT IS**, this \_\_\_\_\_ day of \_\_\_\_\_, 2007, ORDERED that Kathleen P. Loughhead, Esquire be admitted to appear *Pro Hac Vice* in connection with the above-entitled case. Counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: New York, New York

\_\_\_\_\_  
BY THE COURT:

\_\_\_\_\_  
J.

**CERTIFICATE OF SERVICE**

I, Robert W. Phelan, do hereby certify that a copy of the foregoing Plaintiff's Motion for Pro Hac Vice Admission has been served upon all parties of record this 17<sup>th</sup> day of December, 2007 by First Class Mail, postage pre-paid addressed as follows:

Richard S. Kaye, Esq.  
Attorneys for Defendant, Katz Metal Fabricators Inc.  
Murphy & Higgins, LLP  
One Radisson Plaza, 9<sup>th</sup> Floor  
New Rochelle, New York 10801

White Fleischer & Fino LLP  
Attorneys for Defendant, The Franklin Tower Condominium  
140 Broadway, 36<sup>th</sup> Floor  
New York, New York 10005

CORN ASSOCIATES LLC  
86 Chambers Street, Suite 704  
New York, New York 10007

SAMCO PLUMBING, INC.  
36-20 13<sup>th</sup> Street  
Long Island City, New York 11106

  
\_\_\_\_\_  
Robert W. Phelan (RP-3825)